



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787,850	01/23/97	YASHIMA	T KIT257-JEL/V

EXAMINER

IM51/1001

FELFE & LYNCH  
805 THIRD AVENUE  
NEW YORK NY 10022

CHIEF OF ART UNIT	PAPER NUMBER
	9

1744

DATE MAILED: 10/01/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

## OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

- ☒ Claim(s) 1-11 is/are pending in the application.
- ☐ Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-10 is/are allowed.
- ☒ Claim(s) 11 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4, 7, 8
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Hiratsuka '592.

The patent to Hiratsuka '592 discloses a floor working machine comprising a self-propelled vehicle body including running wheels 11, 12, wheel drive means (motors as recited in col.3, lines 29-32), a working implement 21 for treating a floor surface, means for driving the working implement since the implement 21 since it is a rotary brush (note, the means for driving could also be in housing 22 which itself reciprocates), control means for controlling the self-propelled vehicle body and including a spin turn control means defined by steering device 3 and steering control circuit 31 (see col.4, lines 55-58, for example) for causing the self-propelled vehicle body to make a spin turn automatically, and running control means defined by main control circuit 5 (see col.4, lines 50-52) for automatically controlling the spin turn control means in response to an input signal for causing the vehicle body to make a spin turn under control of the spin turn control means. With respect to the recitation in claim 11, lines 7-8 reciting that the implement is adjusted to a work line adjacent a work line treated before the spin turn, such a

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recitation is merely functional adding no additional limitation to the claim. A “work line” is interpreted as merely an imaginary line or area of a floor to be cleaned. Clearly, when Hiratsuka’s vehicle body makes a turn or changes direction, the working implement can clean a new area or “work line” of a surface.

3. Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by European Patent Application 0 490 736 (hereinafter EPA ‘736).

The reference to EPA ‘736 discloses a floor working machine comprising a self-propelled vehicle body 1 including running wheels 4, 5a, 5b, wheel drive means 10a, 10b, a working implement defined by a dust suction part 6 and suction chamber 7 for treating a floor surface, means for driving the working implement defined by suction motor 8, and control means defined by control device 12 for controlling the self-propelled vehicle body and including a “spin turn control means” and “running control means” (although EPA ‘736 does not explicitly term such elements) in the control device 12 for causing the self-propelled vehicle body to make a spin turn automatically in response to an input signal from a remote controller (see col.7, lines 43-58 to col.8, lines 1-8). With respect to the recitation in claim 11, lines 7-8 reciting that the implement is adjusted to a work line adjacent a work line treated before the spin turn, such a recitation is merely functional adding no additional limitation to the claim. A “work line” is interpreted as merely an imaginary line or area of a floor to be cleaned. Clearly, when the EPA ‘736 vehicle

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body makes a turn or changes direction, the working implement can clean a new area or "work line" of a surface.

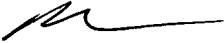
4. Claims 1-10 are allowed.


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Wulc, Nystrom, Takimoto, Basham, Betker, Yoo, Kim, Kell, Bancroft, Hwang, Kukino, and Minami are pertinent to various self-propelled cleaners.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randall Chin whose telephone number is (703) 308-1613.

Any inquiry of a general nature concerning the status of this application should be directed to the receptionist of Group 1700 whose telephone number is (703) 308-0661.

Any responses made by facsimile should be addressed to Randall Chin at (703) 305-3599 or (703) 305-7719.

  
R. Chin  
September 27, 1998

  
**RANDALL E. CHIN**  
**PRIMARY EXAMINER**